



Georgia Department of Early Care and Learning

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MEMORANDUM

To: Sponsors Participating in the Summer Food Service Program (SFSP)

From: Falita S. Flowers, Nutrition Services Director (*Original Signed*)

Date: January 30, 2015

Subject: Summer Meal Programs Meal Service Requirements Q&As - Revised

Legal Authority: USDA Policy Memorandum, SFSP 05 – 2015, SFSP 05-2015 (v.2)

The purpose of this memorandum is to provide guidance on meal service requirements in the Summer Food Service Program (SFSP). This revision expands the use of family style meal service to closed enrolled sites and reiterates the option for offsite consumption of specified food items in SFSP. In addition, this memorandum expands current guidance on meal service times, offer versus serve (OVS), adult meals, and leftover meals as it relates to SFSP. This memorandum also includes frequently asked questions [Attachment A]. This memorandum supersedes USDA policy memoranda SFSP 08-2014, *Meal Service Requirements*, November 12, 2013, and *Time Restrictions on Breakfast Meal Service*, February 12, 2002, and Bright from the Start Georgia Department of Early Care and Learning (DECAL) policy memorandum *SFSP Meals Service Requirements*, May 9, 2014.

Meal Service Times

In an effort to simplify Program management, the Food and Nutrition Service (FNS) issued a waiver of meal service time restrictions under 7 CFR 225.16(c) in October 2011. Therefore, there are currently no Federal time limits placed on the duration of a meal service and no Federal requirements pertaining to the amount of time that must elapse between the beginning of one meal and the beginning of the next to provide sponsors greater flexibility to meet local needs.

However, sponsors must continue to establish meal times for each site and provide this information to DECAL to allow for effective oversight [7 CFR 225.6(c)(2)(B) and (3)(A)]. All applicant sponsors must provide DECAL with information regarding the time of meal service at each site, however, they are not required to ensure that a specific time period will elapse between the meal services. Meals must be served within the approved meal service times in order to be claimed for reimbursement and for the cost associated with such meals to be covered by Program funds. FNS encourages sponsors to establish meal service times that best accommodate operational requirements and the needs of participating children.

Additionally, FNS encourages State agencies to approve meal times that give sponsors flexibility to accommodate unanticipated circumstances, such as late meal deliveries, while fulfilling Program requirements.

While DECAL may establish meal time restrictions, this would be considered an additional State requirement and subject to Regional Office (RO) notice and approval as required by 7 CFR 225.18(f). However, DECAL has the discretion to impose restrictions on specific sponsors based on review findings on a case-by-case basis.

Meal service requirements differ for school food authorities (SFAs) participating in the SSO. These requirements are outlined in the *Questions and Answers for the National School Lunch Program's Seamless Summer Option* guidance available on the SSO webpage at <http://www.fns.usda.gov/school-meals/opportunity-schools>.

Number and Type of Reimbursable Meals

Restrictions in SFSP on the number and type of meals that may be served each day, as established by 7 CFR 225.16(b), are as follows:

- With DECAL approval, sponsors of open, restricted open, and enrolled sites may serve up to two meals each day. Meal combinations consisting of a lunch and supper are not allowable. Allowable combinations include:
 - Breakfast and lunch
 - Breakfast and supper
 - Breakfast and snack
 - Lunch and snack
 - Supper and snack
 - Two snacks
- With DECAL approval, camp or migrant site sponsors may serve up to three meals each day. Allowable combinations include:
 - Breakfast, lunch, and supper
 - Breakfast, lunch, and snack
 - Breakfast, supper, and snack
 - Lunch, supper, and snack

Offer Versus Serve

Offer versus serve (OVS) is a concept that applies to menu planning and meal service which allows children to decline some of the food offered in a reimbursable breakfast, lunch, or supper, excluding snacks. The goals of OVS are to simplify Program administration and reduce food waste and costs while maintaining the nutritional integrity of the SFSP meal that is served. All SFSP sites, regardless of location or type of sponsorship, may utilize OVS. Although SFSP regulations indicate that OVS is available only to school sponsors, FNS extended this option to non-school sponsors in October 2011. Utilizing OVS does not preclude the sponsor from maintaining a non-profit operation.

For a meal to be eligible for reimbursement, all food components in the required minimum serving sizes must be offered. A food component is one of the food groups that comprise a reimbursable meal. Sites must always offer all the food components that comprise a reimbursable meal in at least the minimum

required amounts. A food item is a specific food offered within the food components comprising the reimbursable meal. For example, separate ½ cup servings of peaches and pears are two food items that comprise one component, the fruit and vegetable component.

All non-school sponsors electing to use OVS and schools participating in SFSP and electing to follow the SFSP meal patterns are required to follow the SFSP OVS requirements. Due to the distinguishing nature of the SFSP and NSLP, including variations in settings and resources, the OVS requirements in SFSP are different from the OVS requirements in NSLP. In order to ensure that children are receiving enough food to meet their nutritional needs, OVS requirements in SFSP are as follows:

Breakfast:

- Three food components are required for a reimbursable breakfast:
 - One serving of fruit/vegetable,
 - One serving of bread/bread alternate, and
 - One serving of fluid milk.
- All food components listed above must be offered through at least four different food items for OVS in SFSP.
- The fourth food item offered can be a serving of fruit/vegetable, bread/bread alternate, or meat/meat alternate.
- A child must take at least three of the four food items offered.

Lunch or Supper:

- Four food components are required for a reimbursable lunch or supper:
 - One serving of meat/meat alternate,
 - Two servings of fruit and/or vegetables (two different food items),
 - One serving of bread/bread alternate, and
 - One serving of fluid milk.
- All food components listed above must be offered through at least five different food items for OVS in SFSP.
- Lunch or supper OVS requirements differ from breakfast in that a child must take at least three food components, rather than items, listed above from the five food items offered. Three food components are required for an adequate nutritious meal for children.

Offering two servings of the same food item is not permissible under OVS in SFSP. All food items offered must be different from each other. For example, a breakfast menu that includes a serving of milk, a serving of fruit, and two servings of toast is not a reimbursable meal under OVS in SFSP because the toast is two of the same food item. Additionally, a larger food item that is worth two servings in weight, such as a two ounce muffin, counts as only one food item under OVS in SFSP, not two. Offering different food items supports and encourages the practice of offering a variety of food choices for children, which increases the likelihood that children will select foods they prefer and reduces waste.

OVS is an option for sponsors, not a requirement. Sponsors must indicate their intention to utilize OVS on the sponsor or site application. State agencies may not institute a statewide ban on OVS. However, specific sponsors or sites may be restricted from utilizing the option on a case-by-case basis. If DECAL denies a sponsor's request to use OVS in SFSP, the sponsor may not appeal the decision. The sponsor may submit another request the next operating year.

Please Note: School sponsors that elect to use the NSLP or School Breakfast Program (SBP) meal pattern and SFAs operating SSO are required to follow the OVS requirements of NSLP and SBP. For more information, see 7 CFR 210.10(e), 7 CFR 220.8(e), and SP 57-2014, *Updated Offer versus Serve Guidance for the National School Lunch Program and School Breakfast Program in School Year 2014-2015* at <http://www.fns.usda.gov/updated-offer-versus-serve-guidance-national-school-lunch-program-and-school-breakfast-program>. See also DECAL policy memorandum, “*Offer Versus Serve Guidance for SFA’s Participating in the CACFP and the SFSP*,” December 19, 2014 at: <http://www.dec.al.ga.gov/Nutrition/SFSPBrightFromTheStartMemos.aspx>.

Family Style Meal Service

Beginning summer 2015, FNS is extending the option of family style meal service in camps to include closed enrolled sites in the SFSP. Both camps and closed enrolled sites provide the stable environment required for a successful family style meal service to provide nutritious meals to children and promote healthy eating habits through the personal example provided by supervising adults.

FNS Instruction 783-3, Revision 1, *Family Style Meal Service in the Summer Food Service Program*, issued in August 1986, limits the family style meal service option to camps, which are stated as the only appropriate setting due to a camp’s stable environment for enrolled children. In December 2000, the definition of closed enrolled sites was codified in 7 CFR 225.2 as a site open only to enrolled children, as opposed to the community at large. By definition, closed enrolled sites also provide a stable environment for enrolled children and thereby also are an appropriate setting for family style meal service. FNS, therefore, is extending family style meal service as an option for closed enrolled sites in the SFSP. Family style meal service is still prohibited at open and open restricted sites in the SFSP.

Family style meal service affords sponsors latitude in the size of the initial servings which must be exercised in compliance with the following practices, at a minimum:

1. Enough food must be placed on each table to provide minimum portions of all required components for all children at the table in accordance with 7 CFR 225.16, and to accommodate program adults supervising meal service at the table if they eat with the children.
2. Some amount of each required component must be placed on each child’s plate, and at least the minimum regulatory portion must be offered to the child. This practice may be particularly appropriate when unfamiliar foods are being introduced.
3. When the full portion required by the regulations is not initially served to children, supervising adults must assume the responsibility of actively encouraging the child to accept service of the full portion during the course of the meal.

Meals Served to Adults

Sponsors have the discretion to serve meals to anyone. Only meals served to children may be claimed as reimbursable meals. Along with children ages 18 years and younger, SFSP regulations at 7 CFR 225.2 also defines children as persons over 18 years of age who are determined by the State or local educational agency or a local public education agency as having a mental or physical disability and who participate during the school year in a public or private non-profit school program established for the mentally or physically disabled. Therefore, meals served to any person who meets the above definition may be claimed as reimbursable meals.

Meals served to adults (other than those provided for in 7 CFR 225.2) must be reported differently than those served to children, depending on the classification of the adult served, as either a Program or a non-Program adult. The classification between the meal services requirements are as follows:

- *Program Adults* work directly with the meal service at the site as either volunteers or paid employees. Meals may be served free to adults who meet this definition. These meals may not be claimed for reimbursement as a reimbursable meal, but may be counted as legitimate operating costs [7 CFR 225.9(d)(5)].
- *Non-Program Adults* do not work in any direct way with the meal service at the site, such as a parent or guardian. Sponsors have the option to serve meals to non-program adults at no charge or charge the full cost of the meal. The cost of meals served to non-Program adults may be counted as part of the sponsor's operating costs only if the adult pays, or non-Program funds cover, the full cost of the meal and the money received is reported as income to the Program [7 CFR 225.2 *Definition of Income accruing to the Program*]. If meals are served to non-Program adults, sponsors must either charge the adults at least the full cost of the meal (including food and non-food supplies, labor, and the value of commodities), or use other non-Program funds to cover the cost of these meals. When using non-Program funds to cover the cost of these meals, the sponsor may include those funds as Program income and pay for these meal costs from its nonprofit food service account.

Additionally, when a sponsor chooses to serve meals to adults, the following rules must be observed:

- All children (including any person who meets the definition of 7 CFR 225.2) must be fed first;
- Income from the sale of adult meals and non-Program funds used to pay for adult meals must be documented as income to the Program to offset documented costs; and
- Meals served to children (including second meals), Program adults, and non-Program adults must be counted and recorded separately on the daily meal count form.

The calculation of meal costs should be based on the full cost of producing the meal (i.e., food, supplies, labor, and other costs incurred by the sponsor). Sponsors also should include the value of the U.S. Department of Agriculture (USDA) Foods used to prepare the meal or this value may be based on the current year annual entitlement per meal value of USDA Foods.

Leftover Meals

All sponsors must plan, prepare, and order meals with the objective of providing one meal per child at each meal service, and must ensure that entire meals and food components are not leftover and unusable on a frequent basis. Sponsors should regularly monitor and compare site reports on the number of attending children and the number of delivered meals to reduce waste and cost. When sites have leftover food, sponsors should promptly adjust orders to more accurately reflect the actual number of meal service participants. Additionally, all alternatives permitted by Program regulations and State and local health and sanitation codes should be exhausted before discarding food.

FNS encourages State agencies to support efforts by sponsors to minimize food waste. Some options may include:

- *Transferring Meals* – Extra meals may be transferred, if allowed by the local health code, from one site with excess meals to another site with a shortage.
- *Seconds* – When all children in attendance at the site have received one meal, sponsors may serve and claim reimbursement for second servings of complete meals of up to two percent of the number of first meals served to children, for each meal type, for all sites, during a claiming period [7 CFR 225.9(d)(4)]. Note, second meals may be disallowed if DECAL determines that the sponsor has failed to plan and prepare or order meals with the objective of providing only one meal per child at each meal service [7 CFR 225.15(b)(4)].

- *Share Table* – Sponsors may designate a “share table” or stations where children may return whole items that they choose not to eat, provided that this is in compliance with local and State health and safety codes. These items are then made available to other children who may want additional servings. This practice may be facilitated by serving meal components that can be easily “recycled.” For example, if an apple is served as part of a meal, a child can return the apple to the share table. Nonperishable components that remain on a share table may be appropriately stored for subsequent service. All recycled food items must be stored in accordance with local health codes, and must be documented.
- *Donations* – When it is not feasible to reuse leftovers or store food, FNS encourages sponsors to consider donating it to non-profit organizations working to address hunger in the community, such as homeless shelters, food banks, and food pantries. Sponsors may also choose to send leftover meals or food home with children. Sponsor policies relating to food donations must comply with State and local health and sanitation codes.

Although donated meals, including non-reimbursable meals or meal components sent home with children, may not be claimed for reimbursement in the SFSP, food donation avoids unnecessary waste and can save expensive disposal and storage costs. Additionally, by collaborating with other hunger organizations, sponsors can expand the reach of these important programs and build networks that better serve the community. Sponsors should refer to SP 11-2012, SFSP 07-2012, *Guidance on the Food Donation Program in Child Nutrition Programs*, February 3, 2012, for more information.

Taking Meal Components Offsite

SFSP regulations require sponsors to ensure children consume meals at the site [7 CFR 225.6(e)(15)]. Therefore, meals must be consumed onsite in order to be eligible for reimbursement, unless the meal is served on a DECAL approved field trip or offsite consumption is otherwise approved by FNS. In extenuating circumstances, sponsors may allow offsite consumption of meals as long as meals taken offsite are not claimed for reimbursement. Failure to meet this “congregate feeding” requirement results in the disallowance of meals and may lead to a determination of serious deficiency of the sponsor’s operation of the Program [7 CFR 225.11(c)(4)].

However, sponsors may allow a child to take one fruit, vegetable, or grain item offsite for later consumption without prior DECAL approval provided this is in compliance with State and local health and sanitation codes. Originally, FNS permitted sponsors to allow children to take only a fruit or vegetable off site with prior State agency approval. In October 2013, FNS extended this option to all sponsors without prior State agency approval and expanded the eligible food items to include grains [SFSP 08-2014, *Meal Service Requirements*, November 12, 2013]. The food item taken offsite must be from the child’s own meal or left on a “share table” by another child who did not want it.

Sponsors should only allow an item to be taken offsite if they have adequate staffing to properly administer and monitor the site, and to ensure that issues, particularly related to food safety and Program integrity, do not arise. DECAL may prohibit individual sponsors on a case-by-case basis from using this option if the sponsor’s ability to provide adequate oversight is in question. DECAL’s decision to prohibit a sponsor from utilizing this option is not an appealable action.

For questions concerning this memorandum, please contact Sonja Adams, Policy Administrator at (404) 651-8193.

Questions and Answers

New questions are preceded by three asterisks (***)

Meal Service

1. *****May a SFSP site serve breakfast later in the morning, such as from 10am to 11 am, to accommodate teenagers who may wake-up later?**

Yes. A site may offer breakfast later in the morning. FNS encourages sponsors to establish meal service times that meet the needs of participating children.

2. *****May a school or site participating in SFSP as an open site serve meals to academic summer school students first and then serve meals to children coming from the community (staggered meal service times)?**

Yes. Staggered meals are allowable at school sites participating in SFSP as long as the meal service is the same (i.e., food served, length of serving time, eating area, etc.) for both the summer school students and community children.

3. *****If a child does not finish his or her meal can the sponsor let the child take the rest of the meal home?**

Children may be permitted to take one leftover fruit, vegetable, or grain item offsite for later consumption. If the leftover food component is not a fruit, vegetable, or grain that is permitted to be taken offsite, the sponsor may allow the child to take those leftovers offsite but the sponsor may not claim reimbursement for that meal.

4. **How many reimbursable meals may be served?**

Open, restricted open, and closed enrolled sites may be reimbursed for serving up to two reimbursable meals or for a meal and a snack each day. The meals may be any combination of breakfast, lunch, supper or snack, except a sponsor may not be reimbursed for lunch and supper meals served on the same day. Camps and migrant site may be approved for reimbursement of up to three meals, or two meals and a snack daily [7 CFR 225.16(b)].

There are also limits on the total number of meals that may be served each day. Sponsors may serve a maximum total average daily attendance of 50,000 children. However, the State agency may approve exceptions if the sponsor can demonstrate that it has the capability of managing a larger program [7 CFR 225.6(b)(6)].

5. *****May a sponsor serve lunch and supper at the same site on different days?**

Yes. A sponsor may serve lunch and supper at the same site as long as they are served on different days. For example, a site may serve breakfast and lunch Monday through Thursdays and snack and supper on Fridays.

6. **May a State agency prohibit sponsors from serving hot meals?**

A State agency is not permitted to issue a blanket statement prohibiting all sponsors from serving hot meals. Similarly, a State agency may not require a site to offer hot meals. If a State agency wishes to limit the types of meals served, it may do so **only** on a case-by-case basis and must be based on health or safety reasons.

7. May an SFSP site charge a fee to participate in the activity portion of its program?

Yes. Access to meal service at open sites, however, must be free. Although it is common for enrolled programs to charge for items such as t-shirts, bags, and other identifying items that are unallowable State administrative funds expenses, State agencies should ensure that any fees are reasonable and do not restrict access for low-income children.

8. May a site sell a la carte items during a meal service?

Yes. The sale of a la carte items by SFSP sponsors or sites during a meal service is permitted. The non-Program and Program components of the food service operation must be tracked separately, accounting for the receipt, obligation, and expenditure of all SFSP funds. The sponsor must maintain accounting records documenting proper allocation between the Program and non-Program components of its food service operation and the State agency must ensure through the review process that all SFSP reimbursements are used solely for conducting non-profit food service operations.

9. May sponsors participating in SFSP provide meals to children on the weekends?

Yes. The regulations do not restrict SFSP meal service to weekdays and States may not prevent sponsors from offering weekend meals. As with all sites, State agencies and sponsors must ensure that sites offering weekend meals are subject to site monitoring as required by the regulations [7 CFR 225.7(d); 7 CFR 225.15(d)].

10. *When are food service management companies required to test for bacteria levels?**

Bacteria level testing, as outlined in 7 CFR 225.6(h)(2)(v), is only required if such testing is required of the food service management company by the local health (or similar) authority. If no such standard exists then none is required to be established.

11. *May a meal be claimed for reimbursement if it is used to test bacteria levels or temperature for food safety reasons but is not served to participating children?**

Meals tested for bacteria levels or temperature and not served to participating children are allowable operating costs but may not be claimed for reimbursement. Per SFSP regulations (7 CFR 225.6), only meals served to participants may be claimed for reimbursement. One of SFSP's serious deficiencies is claiming meals not served to participants (see 7 CFR 225.11). This is why meals used to test for food safety are allowable operating costs but may not be claimed for reimbursement.

SFSP Offer Versus Serve

1. How many items may a child decline?

At breakfast, a child may decline any one item when four items are offered. However, a sponsor may choose to offer additional food items beyond the requirements, such as cereal and toast (two grain items), orange slices and bananas (two fruit items), and milk (one milk item). In such cases, children still have to take at least three food items but may decline more than one food item.

At lunch or supper, a child may decline two food components of the four offered through at least five food items. Within each component a sponsor may offer different choices providing more combinations for the child to select from. However, a child must take at least three of the four

food components for it to be a reimbursable meal, not just three different food items. For example, if a child selected chicken nuggets and yogurt (two food items in the meat/meat alternate food component) and rice (one item in the bread/bread alternate food component) the meal would not be reimbursable. It is the sponsor's responsibility to ensure that children understand which foods they may decline under OVS. This can be done through signage and instructions to students.

2. What is a combination food?

Combination foods contain more than one food item from different food components that cannot be separated. An example is cheese pizza which contains three food items from different food components: servings of a bread alternate (crust), a serving of a vegetable (tomato sauce), and a serving of a meat alternate (cheese). Other examples of combination foods include soups, prepared sandwiches, and burritos.

3. Under OVS, may a child decline a combination food?

It depends. For breakfast, a site must offer at least four food items and a child must take at least three food items and decline only one; therefore a child may not decline a combination food at breakfast when four food items are offered. For example, if a waffle with strawberries (combination food with a grain and fruit/vegetable component), orange slices, and milk are offered, the child must take the waffle with strawberries in order for the meal to be reimbursable. If a site chooses to offer more than four food items, such as a waffle with strawberries, orange slices, cereal, and milk, the child would be able to decline the combination food (waffle with strawberries) but must take all other food items (orange slices, cereal, and milk) for a reimbursable breakfast.

For lunch or supper, a site must offer four food components through at least five food items. The child may decline up to two food components and must take at least three food components in order for the meal to be reimbursable. If a combination food contains three or more food components the child may not decline the combination food. For example, if a vegetable pizza (combination food with three components: grain, vegetable, and meat alternate), an apple, and milk are offered the child must take the pizza in order for the meal to be reimbursable. However, if a cheese pizza (combination food with two components: grain and meat alternate), an apple, a salad, and milk are offered, the child would be able to decline the combination food but must take all other food components (the apple, salad and milk) for a reimbursable lunch or supper.

4. *What is the minimum amount of fruits and vegetables a child must take in OVS?**

There is no minimum requirement for the amount of fruit or vegetables a child must take when an SFSP site is utilizing OVS. However, for a single fruit or vegetable item to count towards the minimum required serving size of a meal pattern, at least 1/8 cup must be offered (see the Food Buying Guide: http://www.fns.usda.gov/sites/default/files/FBG_Section_2-VegFruits_2.pdf).

Therefore, the minimum amount a site could offer of a fruit or vegetable to count towards the required minimum serving size (1/2 cup at breakfast, 3/4 a cup of two different fruits and/or vegetables at lunch) is 1/8 cup, as long as another, different fruit or vegetable, is offered to meet the required minimum serving size.

5. If a site is using OVS, how do monitors ensure enough food is provided?

During onsite reviews, monitors should observe the meal service and ensure that adequate components and serving sizes are provided so that all children are offered a reimbursable meal.

Monitors also may review policies, training materials, receipts, menus, inventories, and invoices. Maintaining production records is not a Federal requirement in SFSP.

6. When utilizing OVS, if a site runs out of a component, are all the meals served after the required component is no longer available disallowed?

Yes. If a site runs out of a food component, all meals served, after that point, must be disallowed if the site was unable to offer children a complete reimbursable meal. Sponsors are encouraged to have site supervisors communicate with one another so that components may be transferred from one site to another to avoid this situation.

7. May non-school sponsors purchase non-unitized meals from a Food Service Management Company (FSMC) when utilizing the OVS option?

Yes. Program regulations require all meals prepared by an FSMC to be unitized, with or without milk **unless** the State agency has approved a request for exceptions to the unitizing requirement for certain components of the meal. This request for an exemption could be granted when a sponsor notifies the State of its plans to utilize the OVS option. State agencies are encouraged to provide a prototype contract for sponsors that does not include the unitized meal requirement [7 CFR 225.6(h)(3)].

8. Must SFSP sponsors utilizing OVS use past service history to place future orders in order to adjust the amount of food ordered, if permissible under the FSMC contract?

Yes. The initial maximum approved level of meal service for all vended sites must be based on past service history [7 CFR 225.6(d)(2)(i)]. However, when utilizing OVS, for example, if the sponsor's order history shows that only 60 percent of the children take milk, fewer cartons may be ordered. The sponsor should be aware that any meals offered without milk are not reimbursable. Therefore, FNS encourages sponsors and sites to err on the side of caution when placing food orders, to ensure all meals offered under OVS meet all SFSP meal requirements.